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PATENT
51270-245618

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:
K. OSAKABE

Serial No.: 09/412,736

Filed: OCTOBER 4, 1999

For: RECORDABLE OPTICAL DISK AND
OPTICAL DISK RECORDING DEVICE
UTILIZING PRE-RECORDED RECORDING
SPEED INFORMATION

Group No.: 2653

Examiner: P. W. HUBER

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OFFICE OF PETITIONS

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENTMail Stop DD
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Dear Sirs:

1. ☒ The information disclosure statement submitted herewith is being filed within three months of the filing date of the application or date of entry into the national stage of an international application or before the mailing date of a first Office Action on the merits, whichever event occurs last. 37 C.F.R. §1.97(b).
2. ☐ The information disclosure statement transmitted herewith is being filed *after* three months of the filing date of this national application or the date of entry of the national stage as set forth in §1.491 in an international application or after the mailing date of the first Office Action on the merits, whichever event occurred last but *before* the mailing date of either:
 - (1) a final action under §1.113 or
 - (2) a notice of allowance under §1.311, whichever occurs first.

CERTIFICATION OR FEE

- A. Included with this transmittal is:
- i. ☐ a certification (set forth below) in accordance with 37 C.F.R. §1.97(e). (If for any reason the certificate set forth below should be unsatisfactory, the Commissioner is provisionally authorized to charge the \$240 fee (37 C.F.R. §1.17(p)) to Deposit Account No. 16-1805. A copy of this sheet is enclosed.)
 - OR**
 - ii. ☐ the attached fee set forth in 37 C.F.R. §1.17(p) for submission of an information disclosure statement under §1.97(c). (\$180.00).
3. ☐ The information disclosure statement transmitted herewith is being filed *after* a final action under §1.113 or a notice of allowance under §1.311, whichever occurs first, but before, or simultaneously with the payment of the issue fee.

CERTIFICATION, PETITION AND FEE

- A. In accordance with the requirements of 37 C.F.R. §1.97(d):
- i. Set forth below is a certification as specified in 37 C.F.R. §1.97(e).
 - ii. Applicant hereby petitions for the consideration of the accompanying information disclosure statement. 37 C.F.R. §1.97(d)(ii).
 - iii. Applicant submits the petition fee set forth in §1.17(i)(1). (\$180.00).

CERTIFICATION

(Required if 2Ai or 3 above is marked)

4. I, the person signing below, certify
- ☐ that each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application and that the communication is dated not more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(1).
 - OR**
 - ☐ that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application or to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(2).

5. ☒ If it should be determined that for any reason either an insufficient or an excessive fee has been paid, please charge any insufficiency or credit any overpayment necessary to ensure consideration of the information disclosure statement for the above-identified application to Deposit Account No. 16-1805. A copy of this petition is enclosed.

Respectfully submitted,

PILLSBURY WINTHROP LLP

Dated: July 2, 2003

By: James M. Wakely
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